1			COUNTY COL	UNCIL		
2 3			OF	·		
4						
5		HARFO	ORD COUNTY	, MARYLAND		
6						
7			BILL NO. 09	9-28		
8						
9	Introduced by Counc	il President Boni	iface at the reque	st of the County I	sxecutive	
10					Detm. Contomb	9 2000
11	Legislative Session I	Day No. 09-26			Date: Septemb	186. 6, 2009
12			TI C )	. 4. Marriland to	haman anita fu	.11
13	A BILL to authori	ze and empower	r Hariora Coun	ty, Marylanu to	borrow, on us to	111 Af
14	faith and	creait, and iss	ue and sen it	s vonu, notest	or other form een Thousand Fi	VA VA
15	indeptednes	s tnereiore, in a	in amount not t love (\$17.525 M	) principal am	ount the proceed	de
16	Hunarea I	wenty-Five Doi	nars (\$17,323.00	n of the Stuart T	Terrace Stream, l	w
17	tnereor to be	e used for the el	rusium protectio all for shore o	n of the Stuart 1	on land owned h	'J NV
18	Construction	of a stone wa	an for shore end to re	imburse the State	te for the technic	al
19	Dennis J. Fe	etty anu meten i strativa sarvicas	e nursuant to S	ubtitle 10 of Tit	e 8 of the Natur	al
20	Descurees	Article of the	Annotated Co	de of Makyland	i, "Shore Erosic	 on
21 22	Control" in	accordance wi	ith Section 524	of the Charter of	of Harford Coun	tv
23	("Charter")	and Section 12	23-40 of the Cou	e of Harford C	ounty ("Code")	or
24	as otherwise	permitted by la	aweauthorizing	the County	, ,	
25	us other was	permissed by a	A T	<b>y</b> ,		
26	]	By the Council	September 8, 20	109		
27						
28	Introduced, read firs	t time, ordered p	osted and public	hearing scheduled	d.	
29 <sup>-</sup>	,			-		
30		on: October 1	3, 2009			
31	<b>→</b> •	at: 7:00 p.m.				
32		,	*			
33	ByOrder		, Cound	cil Administrator		
34						
35		in the second	PUBLIC HEA	ARING		
36					1	D'11 1'
37	Haw	ng been posted a	and notice of tim	e and place of he	earing and title of	Bill naving
38	been published acco	ording to the Cha	arter, a public he	earing was held o	n	
39	and concluded on _		•			
40			Co	uncil Administrat	tor	
41			, co	unon Aumminsua	.OI	
42 43	EXPLANATION:	CAPITALS IND	DICATE MATTER A	ADDED TO EXISTI	NG LAW. [BRACK	ETS] indicate
44	23 M 20 M 11 M 21 M 11	matter deleted fro	om existing law. Un	derlining indicates lar	nguage added to Bill b	y amendment.
45		Language lined th	hrough indicates matt	er stricken out of Bill	by amendment.	
46 47	[Page 1 of 4]					
4.8						

1	COUNTY COUNCIL				
2 3	<b>OF</b>				
4					
5	HARFORD COUNTY, MARYLAND				
6	,				
7	BILL NO. 09-28				
8	<u>,</u>				
9	Introduced by Council President Boniface at the request of the County Executive				
10					
11	Legislative Session Day No. 09-26 Date: September 8, 2009				
12					
13	Executive of Harford County, Maryland to execute a loan agreement with the				
14	Department of Natural Resources of the State of Maryland that shall provide				
15	for the manner by which the indebtedness, without interest, shall be paid, and				
16	generally for such other matters as may be deemed appropriate by the				
17	County Executive of Harford County, Maryland in connection therewith;				
18					
19	By the Council, September 8, 2009				
20					
21	Introduced, read first time, ordered posted and public hearing scheduled				
22					
23	on: October 13, 2009				
24	at: 7:00 p.m.				
25					
26					
27	By Order:, Council Administrator				
28					
29	<u>PUBLIC HEARING</u>				
30					
31	Having been posted and notice of time and place of hearing and title of Bill having				
32	been published according to the Charter, a public hearing was held on,				
33	and concluded on				
34	Council Administrator				
35	, Council Administrator				
36	CANTAL C. DIDICATE MATTER ADDED TO EVICTBIC LAW (DRACKETS) indicate				
37 38	EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter deleted from existing law. <u>Underlining</u> indicates language added to Bill by amendment.				
38 39	Language lined through indicates matter stricken out of Bill by amendment.				
40	[Page 2 of 4]				
41					

**COUNTY COUNCIL** 1 2 **OF** 3 4 HARFORD COUNTY, MARYLAND 5 6 BILL NO. 09-28 7 8 Introduced by Council President Boniface at the request of the County Executive 9 10 Date: September 8, 2009 Legislative Session Day No. 09-26 11 12 and otherwise generally relating to the loan from the Shore Erosion Control 13 Construction Loan Fund; providing that such indebtedness shall be issued 14 upon the full faith and credit of Harford County, Maryland; 15 16 By the Council, September 8, 2009 17 18 Introduced, read first time, ordered posted and public hearing 19 20 on: October 13, 2009 21 at: 7:00 p.m. 22 23 Souncil Administrator By Order: 24 25 PUBLIC HEARING 26 27 Having been posted and notice of time and place of hearing and title of Bill having 28 been published according to the Charter, a public hearing was held on 29 and concluded on 30 31 Council Administrator 32 33 SAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate 34 **EXPLANATION** matter deleted from existing law. Underlining indicates language added to Bill by amendment. 35 Language lined through indicates matter stricken out of Bill by amendment. 36 37 38

**COUNTY COUNCIL** 1 2 **OF** 3 4 HARFORD COUNTY, MARYLAND 5 6 BILL NO. 09-28 7 8 Introduced by Council President Boniface at the request of the County Executive 9 10 Date: September 8, 2009 Legislative Session Day No. 09-26 11 12 and for the levying of charges, assessments and all taxes necessary to provide 13 payment of the principal on such indebtedness; providing that the County 14 Executive is further authorized to enter into a Shore Exosion Control Project 15 Agreement with Dennis J. Petty and Helen Petty providing for the loan of an 16 amount not to exceed Seventeen Thousand Eight Hundred Fifty Dollars 17 (\$17.850.00) and payment of the loan, without interest, and generally 18 providing for and determining various matters in connection therewith. 19 20 By the Council, September 8, 21 22 Introduced, read first time, ordered posted and public hearing scheduled 23 24 on: October 13, 2009 25 at: 7:00 p.m. 26 27 Council Administrator By Order: 28 29 PUBLIC HEARING 30 31 Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on \_\_\_\_\_\_\_, 32 33 and concluded on 34 35 Council Administrator 36 37 CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate 38 EXPLANATIO matter deleted from existing law. Underlining indicates language added to Bill by amendment. 39 Language lined through indicates matter stricken out of Bill by amendment. 40 41 42 [Page 4 of 4]

1	WHEREAS, Dennis J. Petty and Helen Petty (the "Owners") own property in Harford
2	County, Maryland known as 1 Stuart Terrace which is located on a tributary to Bynum Run (the
3	"Property"); and
4	WHEREAS, the Property has experienced erosion and the Owners wish to borrow the
5	funds loaned to the County by the Department of Natural Resources and utilize the proceeds of
6	such loan for shore erosion control purposes; and
7	WHEREAS, Harford County, Maryland has made application to the Department of
8	Natural Resources of the State of Maryland pursuant to Subtitle 10 of Little 8 of the Annotated
9	Code of Maryland, "Shore Erosion Control" (the "Act), and in accordance with Section 524 of the
LO	Charter of Harford County ("Charter") to borrow funds in an amount not to exceed \$30,000 and to
Ll	loan the funds so borrowed to the Owners for shore erosion control purposes, pursuant to the Act.
L2	WHEREAS, the actual cost of the shore erosion control project was approximately \$17,000
L3	plus administrative expenses of \$850.00
L4	WHEREAS, the County Council of Harford County, Maryland has authority to incur
l.5	debts on behalf of Harford County, Maryland; and
L6	WHEREAS it is necessary to provide funds for the construction of a stone wall on the
17	Property to assist much stabilization of the shoreline.
18	TOW, THEREFORE, IN ACCORDANCE WITH THE PROVISIONS OF THE
19	CHARTER, THE GODE AND THE LAWS OF THE STATE OF MARYLAND:
20	SECTION 1. Harford County, Maryland (the "County") is authorized to borrow from the
21	State of Maryland, Department of Natural Resources, an amount not to exceed Seventeen Thousand
22	Five Hundred Twenty-Five Dollars (\$17,525.00) (the "Loan") for the purpose of lending the
22	proceeds of the Loan to the Owners to assist in the financing of the construction of all or a portion

1	of a stone wall on the Property owned by the Owners (plus reimbursement of certain administrative
2	expenses), which abuts a tributary to the Bynum Run, in order to stabilize the shore line and to
3	prevent erosion, all pursuant to the Act.
4	SECTION 2. And be it further enacted by the County Council of Harford County,
5	Maryland that the Loan shall be paid over a period not to exceed twenty-five years, without
6	interest, pursuant to a Loan Agreement with the Department of Natural Resources of the State of
7	Maryland, substantially in the form attached hereto as Exhibit A and the County Executive of the
8	County is authorized to execute the Loan Agreement with such changes as may be approved by
9	the County Attorney for Harford County, Maryland.
10	SECTION 3. And be it further enacted by the County Council of Harford County,
11	Maryland that the County shall loan the funds borrowed from the State of Maryland pursuant to
12	the Act to the Owners to enable the Owners to pay certain administrative expenses, reimburse the
13	County for certain administrative expenses and to construct a stone wall on the Property owned
14	by the Owners abutting a tributary to Bynum Run to prevent shore erosion, such Loan Agreement
15	with the Owners to provide for payment over a period not to exceed twenty-five years, without
16	interest, and to be substantially in the form attached hereto as Exhibit B, with such changes as the
17	County Executive may deem appropriate and in the best interests of the County, all such changes
18	to be approved by the County Attorney of the County.

Maryland that it is in the best interest of the County to enter into the Loan Agreements attached hereto as Exhibits A and B and the loans shall be at private negotiated sale and a public sale shall not be required.

1	SECTION 5. And be it further enacted by the County Council of Harford County,
2	Maryland that the primary source of funds to repay the Loan from the Department of Natural
3	Resources of the State of Maryland shall be from payments received from the Owners pursuant to
4	the Loan Agreement described in Exhibit B; however, in the event such payments by the Owners
5	to the County are not made or are insufficient to pay the amount due by the County to the
6	Department of Natural Resources of the State of Maryland, it is hereby levied and there shall
7	hereafter be levied in each fiscal year that such indebtedness is outstanding, ad valorem taxes on
8	real and tangible personal property and intangible property subject to taxation by the County
9	without limitation on rate or amount; and, in addition, upon such other intangible property as
10	may be subject to taxation by the County within limitations as prescribed by law; and the full
11	faith and credit and unlimited taxing of the County are hereby irrevocably pledged to the
12	punctual payment of the principal on such indebtedness. The County, by the passage of this Bill
13	hereby covenants and agrees, properly and promptly, to perform all respective acts and duties
14	described in this Bill for the levy and collection of the aforesaid ad valorem tax, upon all
15	assessable property within the corporate limits of the County as the levy and collection of such
16	tax becomes necessary in order to meet the debt service requirements of the Loan Agreement
17	described in Exhibit A between the County and the Department of Natural Resources of the State
18	of Maryland.
19	SECTION Be it further enacted by the County Council of Harford County, Maryland
20	that the provisions of this Bill are severable, and if any provision, sentence, clause, section or
21	part hereof is held illegal, invalid or unconstitutional or inapplicable to any person or

3

circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect

or impair any of the remaining provisions, sentences, clauses, sections or parts of this Bill or their

22

23

- application to other persons or circumstances. It is hereby declared to be the legislative intent
- 2 that this Bill would have been passed if such illegal, invalid or unconstitutional provision,
- 3 sentence, clause, section or part had not been included herein, as if the person or circumstances to
- which this Bill or any part hereof are inapplicable had been specifically exempted therefrom.
- 5 SECTION 7. And be it further enacted by the County Council of Harford County,
- 6 Maryland that this Bill shall take effect sixty (60) calendar days from the date it became law.
  - EFFECTIVE:

7

The Council Administrator of this Council does hereby certify that fifteen (15) copies of this Bill are immediately available for distribution to the jublic and the press.

Council Administrator